

Atty Docket No: 1049-3
Response to September 21, 2005 Office Action

Application S/N: 10/082,904
Date of Response: March 21, 2006

REMARKS

The Examiner objected to the Abstract of the Specification due to its length which exceeded 150 words. Applicants have provided a replacement Abstract which is 147 words. Accordingly, the Examiner's objection to the Abstract should be withdrawn.

The Examiner rejected claims 1, 4, 6-8, 10 and 11 under 35 USC 102(e) as being allegedly anticipated by Hoyos et al., US Patent Publication 2002/0063154A1 (hereinafter "Hoyos"). The Examiner also rejected claim 9 under 35 USC 103(a) over Hoyos in view of Burns, US Patent Application Publication 2003/0151761A1 (hereinafter "Burns"). The Examiner further rejected claims 2, 3, 5, 12-16, and 18-20 under 35 USC 103(a) over Hoyos in view of Malik, US Patent Application Publication 2001/0037219A1 (hereinafter "Malik").

The term "building employee" as applicable to 35 USC 102(e) and 103(a) claim rejections

At the outset, it is apparent that in various rejections of Applicants' claims, all arguments put forth by the Examiner that relate to the term "building employee" are based on the Examiner's presumption that the term "building employee" that is used in Applicants' claims 1, 3-7, 12, 14-16, and 20, means an employee of the building or facility. For example, on pages 3 and 4 of the Office Action, the Examiner repeatedly equates a "building employee having an appropriate authorization" to the administrator of Hoyos. However, this interpretation of the term "building employee" as used by Applicants in claims 1, 3-7, 12, 14-16, and 20 is erroneous.

As clearly demonstrated by Applicants' specification and drawings, the term "building employee" as used by Applicants, means an employee of a company occupying the building, and not

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an employee of the facility itself. That is why the Applicants also provide a separate term "security employee" that specifically refers to authorized personnel of the facility. However, Applicants agree that outside the specification, the term "building employee" may lead to some confusion. Therefore Applicants have amended claims 1, 3-7, 12, 14-16, and 20 to replace the term "employee" with "occupant" which is consistent with the actual meaning of the term, and which clearly indicates that the term refers to an occupant of the building, and not necessarily to an employee of the building itself. These amendments do not introduce any new matter and are fully supported by the specification. Applicants believe that these amendments resolve the source of confusion which at least in part has led to the various rejections below.

The 1, 4, 6-8, 10 and 11 under 35 USC 102(e)

In making the 35 USC 102(e) rejection, the Examiner states that Hoyos allegedly teaches Applicant's invention as claimed in claims 1, 4, 6-8, 10 and 11. The Examiner's arguments are respectfully traversed in view of the following remarks and above-presented amendments.

Hoyos teaches a building access control system using plural access controllers (i.e., biometric reader terminals) and a single central server connected thereto and supplied with an access control database that stores biometric information relating to the system users as well as additional information, such as access privilege information. All users of the Hoyos system, including visitors must be biometrically enrolled in the system so that their biometric information can be stored on the server 1300 so that the user can utilize one or more of the access controllers to gain entry to authorized areas of the building. Additionally, Hoyos is adamant that only the authorized system administrator has access to the database and to various information items about user access requests

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and other security information. Hoyos does not teach or disclose any interface by which users other than the system administrator can access the database. As taught by Hoyos, the users' only contact with the security system is to present their access information to the access controllers and to be verified by the system.

In stark contrast to Hoyos, the very core of Applicants' invention is to enable access to the security system by three separate parties – building occupants, building visitors, and building security personnel. For that purpose, as recited in claim 1, Applicants provide a building security system with three separate dedicated interfaces – one system for building occupants, one for visitors, and one for security personnel. This approach enables each party to have access to different system functionality using their dedicated interface. This is clearly shown in Applicants' FIG. 1, and FIGS. 3-19. To further clarify the fact that the interfaces are dedicated to each party, claims 1 and 12 have been amended accordingly. Additionally, as noted above, Applicants have amended claims 1, 3-7, 12, 14-16, and 20 to clearly show that contrary to Examiner's assumption, the term "building employee" was being used to mean an occupant of the building separate from security personnel, and thus could not be equated to the system administrator of Hoyos.

Hoyos does not teach disclose or suggest separate dedicated interfaces to the security system database for building occupants, visitors and security personnel. In fact, Hoyos clearly states that only an authorized system administrator has access to security information stored in the database. The only contact between non-administrator users and Hoyos security system is through the access controllers which clearly only provide access control functionality and do not allow access to security system information.

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Accordingly, the 35 USC 102(e) rejection of claims 1, 4, 6-8, 10 and 11 should be withdrawn and the claims held allowable.

The 35 U.S.C. 103(a) Rejections of Claims 2, 3, 5, 12-16 and 18-20

In making the various 35 USC 103(a) rejections of the above claims, the Examiner relies on combination of Hoyos with a variety of other references. As has been shown above, and in light of above-described amendments to claims 1, 3-7, 12, 14-16, and 20, Hoyos does not teach or disclose Applicant's invention as claimed alone, or in combination with any other references cited under 35 USC 103(a).

Specifically, because Hoyos lacks three separate dedicated interfaces to the security system and database by three different parties (as taught by Applicants invention and as recited in amended Applicants' claims 1 and 12), and in fact teaches away from allowing access to the security system information by anyone except the security administrator, combining Hoyos with either Burns or Malik would not teach Applicants' invention as recited in the amended claims, because the Malik and Burns references also lack the novel features of Applicant's inventive system and method.

Applicants have amended claim 20 to further clarify the purpose of the independent separate biometric server as opposed to the building web server. As amended, Applicants' claim 20 clearly recites a separate web server and a biometric verification server – shown in Applicants FIG. 2 (and described in the corresponding portion of the specification) as being two different but connected components. Neither Hoyos nor Malik alone or in combination with one another teach or disclose a separate biometric server dedicated biometric verification that is separate from the security system

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web server.

Accordingly, the 35 USC 103(a) rejection of claims 2, 3, 5, 12-16 and 18-20 should be withdrawn and the claims held allowable.

CONCLUSION

Applicants have amended independent claims 1, 12 and 20 to place them in condition for allowance. Because claims 2-11 and 13 to 19 are in proper dependent form and variously depend from allowable independent claims 1 and 12, claims 2-11 and 13 to 19 are also allowable. Applicants thus respectfully request that the Examiner withdraw the 35 USC 102(e) and 35 USC 103(a) rejections variously applied to claims 1-20.

Applicants therefore request allowance of claims 1-20 and ask that the Examiner pass the application to issue. If there are any questions, the Examiner is urged to contact Applicants' attorney at the below-noted telephone number.

Respectfully submitted,

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